

THE REJECTION UNDER 35 USC 112, SECOND PARAGRAPH

Claims 2 and 3 stand rejected under 35 USC 112, second paragraph, as being indefinite. The alleged indefiniteness would stem from the use of the word "preferably" in these Claims. Applicants point out that the application as filed with the USPTO does not use the word "preferably" in the Claims. However, this term does appear in Claims 2 and 3 of the priority document. It appears that the Examiner may have made this rejection with reference to the priority document. As the claims as filed with the USPTO do not use this term, it is respectfully requested that this rejection be withdrawn.

THE REJECTION UNDER 35 USC 102

Claims 1 and 3 stand rejected as being anticipated by Lissi et al. The rejection of Claim 3 is inconsistent with the observation in paragraph 7 of the Office Action, saying that claim 3 would be allowable if written in independent form. It is therefore assumed that Claims 1 and 2 (not 1 and 3) were intended. This is consistent with the Office Action Summary, which says that Claims 1 and 2 are rejected, and that Claims 3-11 are objected to.

It is further assumed that this rejection is with reference to the Claims of the priority document, rather than the Claims of the U.S. application.

A rejection of Claims 1 and 2 contained in the U.S. application utilizing the Lissi et al. reference would, however, be inappropriate. These claims specify that the methacrylate containing polymers made by the method of the present invention comprise at least one cross-linkable functional group (emphasis added). The Lissi et al reference discloses comparative experiments

wherein the inhibitor effect of iodine on the polymerization reaction of methyl methacrylate is compared with that of benzoquinone. There is no mention of a cross-linkable functional group by Lissi et al., and none appears to be present. Thus, this reference does not anticipate the present claims.

Experiments were conducted in an attempt to clarify what appeared to be conflicting reports on the role of iodine on the polymerization of vinylic monomers. Earlier researchers had reported that iodine could act as an inhibitor, an initiator, and a chain transfer agent. Lissi et al. conclude that "iodine is an efficient inhibitor of the methyl methacrylate free-radical polymerization" (see Introduction, last sentence). The authors are very careful not to draw any conclusions beyond the confines of their specific experiments. They also do not offer any explanation as to why earlier researchers found iodine acting as an initiator or a chain transfer agent. Apparently, they felt that the limited scope of their experiments did not permit any broad conclusions. Therefore, this reference may not be used as a basis for an obviousness rejection of the present claims.

THE CLAIM OBJECTIONS

Claims 4-11 have been objected to under 37 CFR 1.75(c) as being multiple dependent claims depending on other multiple dependent claims. As with the rejection under 35 USC 112, this objection appears to be based on the claims of the priority document. Since the application as filed with the USPTO does not contain multiple dependent claims, applicants submit that this objection has been made in error and should be withdrawn.